

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Porter et al.

Serial No.: 09/128,504

Filed: 08/03/98

For: **PICK-UP TRUCK BED  
ORGANIZER AND METHOD**



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Attorney Docket: PORTER-1

Examiner: Not assigned

Art Unit: 3612

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E. J. Harris  
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**INFORMATION DISCLOSURE STATEMENT**  
**IN ACCORD WITH 37 C.F.R. SECTION 1.97**

Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

Applicant wishes to make of record the prior patents and other references listed on the enclosed Form PTO-1449. A copy of these references is enclosed herewith.

U.S. Patent No. 5,657,916 issued Aug. 19, 1997 to John Tackett relates to a molded shell with a hinged cover for carrying ballast or other items in pickup truck beds. The shell is designed to fit into the bed of a truck and is formed to fit around the wheel wells. The limitations with this storage unit is that it is bulky and cumbersome. It cannot be easily removed or replaced and limits the usage capabilities of the pickup truck bed. This system probably requires that two people be available for installation and removal.

U.S. Patent No. 4,733,899 issued Mar. 29, 1988 to Orbrie Keys relates to a portable divider device for dividing the bed of a pickup truck into smaller compartments so that material, such as groceries, deposited in the smaller compartments do not spill all over the bed.

The divider device is applicable on trucks with a camper shell of the type that encloses the entire truck bed, leaving only an access door at the rear of the truck which may be opened to place cargo near the tailgate.

U.S. Patent No. 5,415,506 issued May 16,1995 to Phillip E. Payne relates to a combination for partitioning a pick-up truck bed. The bed includes a first plurality of vertically disposed channels integrally formed in the first side wall, a second plurality of vertically disposed channels integrally formed in the second side wall and at least one bulkhead member. The bed uses a vertical channel disposed in both the first and second interior wheel houses. The bulkheads are designed to slide into an opposing set of channels.

U.S. Patent No 5,494,315 issued Feb.27,1996 to Boyd Heltenburg relates to a truck bed ballast apparatus that includes a container assembly and a foot assembly adapted for connection to a truck bed. An inlet aperture is located on a wall of the container assembly. A quantity of sand can be added to the container assembly. The container assembly is adapted to be juxtaposed to a fender well projecting upward from the truck adjacent to a side wall of the truck bed. An additional embodiment is revealed. The embodiment utilizes a bracing element between fender wells.

U.S. Patent No. 4,733,898 issued Mar. 29,1988 to Scottie Williams relates to a combination storage unit and auxiliary bed liner assembly. The storage unit covers the entire open area of the pickup truck bed, with the space between the auxiliary bed liner and the truck bed being partitioned to provide multiple storage compartments. A top-opening compartment is formed on each side of the two rear wheel well regions. Two pull out drawers located under the liner and between the upper compartments extend the entire length of the pickup truck bed.

U.S. Patent No. 5,137,322 issued Aug.11, 1992 to Scott Muirhead relates to a storage compartment in the shape of a roof top that slopes from the front of the pickup truck bed and extends outward taking up approximately one third of the bed. The chest is hinged for easy

access. Extending over the wheel wells are cargo compartments. A liner insert combination is included. The purpose for this invention is to provide the pickup truck driver with a secure place to store cargo.

U.S. Patent No. 5,303,969 issued April 19, 1994 to Larry W. Simnacher relates to a storage device that is hydraulically maneuvered from a stowed position to a usable position. The storage area is affixed to the sidewall of the pickup truck. It extends the entire length of the pickup truck bed and is approximately 20 inches wide. A hinged door is located on top of the storage unit allowing storage and easy accessibility. A fluid activated lift is attached to the bottom of the storage unit at both ends. The hydraulic system moves cargo from the bottom of the bed to above the side walls.

U.S. Patent No. 5,535,931 issued Jul. 16, 1996 to John R. Barlow; Russell S. Stephanchick relates to modified storage systems. The storage system includes a compartment defining structure pivotally coupled to the vehicle for movement between a first position wherein the structure straddles and is located over the wheel well and a second position wherein the structure is located adjacent to the wheel well and supported on the floor.

U.S. Patent No. Des. 279,664 issued Jul. 16, 1985 to John E. Waters relates to an over the wheel well truck tool box.

U.S. Patent No. 3,704,794 issued Dec. 5, 1972 to James R. Flamm relates to a support deck selectively mountable within a pickup truck bed so as to define an elevated platform over the wheel well covers whereby the full width of the box can be utilized for the accommodation of snowmobiles or the like. The deck, either in its entirety or along the rear portion thereof, slopes downward so as to facilitate the movement of snowmobiles thereon and therefrom. Access to the rear of the deck is provided by means of a removable inclined ramp.

U.S. Patent No. 5,567,000 issued Oct. 22, 1996 to Scott Clare relates to a hidden storage utility system. The storage system is located adjacent to the wheel well sections of the

bed and uses hinges to open and close the side panel of the bed. The storage system does not alter the appearance of the pickup truck. The storage area does not extend inward beyond the wheel wells.

U.S. Patent No. 5,593,201 issued Jan. 14, 1997 to Nick Bateman relates to a truck tool organizer system including a truck bed cover that has a top planar portion with a pair of side projections, a front wall, a rear door and a pair of side walls. The rear door has a window centrally positioned therein and a turn handle that extends from a bottom end of the door. Each side wall has a window positioned within. Included is a bottom shell that is positioned within a truck bed and adjacent a pair of wheel wells. The shell has an interior bottom with a pair of front casters attached. The shell receives a drawer that slides. Lastly, included is a center unit. The center unit is positioned in the truck bed and has a floor portion with a pair of tool bins. Each tool bin is positioned above the wheel well of the truck bed with the floor portion as a tool bin base.

U.S. Patent No. 5,456,514 issued Oct. 10, 1995 to Kendall Justice relates to a pickup truck bed organizer apparatus that includes a layer of flat belting material in which a plurality of panels is defined by a plurality of cuts. Each panel extends between the sides of the material and is pivotable from a down position to an up position. The panels are under tension in their up position due to the inherent properties of the material and return to their down position as part of the layer material when goods which are against them are removed. The panels are pivoted to divide the cargo or bed area of the truck into any of a plurality of separate compartments for organizing goods or cargo or for holding the cargo in any or all of the various compartments.

U.S. Patent No. 5,427,486 issued Jun. 27, 1995 to Gerald D. Green relates to an adjustable load securing device for securing a partial load in a load carrying area of a vehicle has a rectangular panel of compressible material and at least two spaced, upper and lower

elongated members of adjustable length extending across the width of the panel and attached to it. Each elongated member has feet for gripping engagement with opposite side walls of a load carrying area when the elongated member is adjusted in length to fit across the area.

U.S. Patent No 5,419,476 issued May 30, 1995 to W. Wyatt White relates to a truck tool box with a locking door plate. The invention has first and second pivoting lids mounted relative to the top wall of the container, with the front wall of the container including a lock plate movable mounted relative to the front wall to effect compartmentalizing of storage below the tool box container relative to the truck bed.

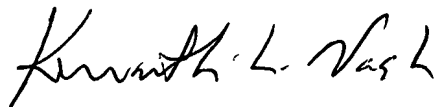
U.S. Patent No. 5,263,761 issued Nov. 23, 1993 to Richard C. Hathaway et al relates to a modular rail system. The system comprises first and second rail assemblies overlying the top surfaces of the first and second truck bed side walls for releasably connecting with the side walls. A flexible cover overlies the bed covering and providing protection for the bed. A locking mechanism is likewise provided and is associated with the cover and the rail assemblies for lockingly attaching the cover to the rail assemblies and securing the cover in place over the truck bed. The rail system may additionally include a tie down bar, a light bar, a utility box, a camper top, and a single or multi-piece bed liner, each of which is supported and connected to the rail assembly.

U.S. Patent No. 4,507,033 issued Mar, 26, 1997 to Walter K. Boyd relates to an apparatus for use with a vehicle having an open-topped cargo carrying compartment with first and second side walls which includes first and second elongated side rails attached to the side walls, respectively, and first and second connectors mounted on the first and second side rails respectively, for movement along the associated side rail. The connectors can be locked in position along their associated side rails. First and second retainers are coupled to the first and second connectors respectively for movement with the connectors and the retainers are adapted to extend into the cargo-carrying compartment. Each of the retainers can retain one side of a

divider in position within the cargo-carrying compartment.

U.S. Patent No. 5,564,776 issued Oct. 15, 1996 to Bradley S. Schlachter relates to a storage enclosure for open pickup truck bed. It includes a horizontal top wall extending between the sidewalls and a front wall having a hinged wall portion which may be positioned extending above the deck to form an enclosure space forward of the tailgate when in its closed position. The hinged wall portion may be positioned to extend vertically downwardly from the front wall at its hinge connection to increase the size of the enclosure space defined between the top wall and the load deck, the opposed sidewalls and the tailgate in its closed position. The hinged wall portion may be locked in either working position. The enclosure top wall may be secured to the opposed loadbed sidewalls at stake recesses and the front wall may have opposed recesses to accommodate the loadbed sidewall beam portions. The enclosure is particularly adapted for open loadbed vehicles.

Respectfully submitted,



Kenneth L. Nash  
Reg. No. 34,399

Date: 10/29/98  
Law Office of Kenneth L. Nash  
P.O. Box 680106  
Houston, TX 7728-0106  
Tel: (281) 583-1024  
Fax: (281) 397-6929

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence and its attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Box Non-Fee Amendment, Washington, D.C. 20231 on October 29, 1998, by Kenneth L. Nash:

By: Kenneth L. Nash